

Call To Order:

The meeting was called to order at 7:34 pm. Present were Chairman Paul Salafia, and members Selena Goldberg, Vincent Chiozzi, Linn Anderson, and John McDonnell (arrived at 7:50) also present were Director of Planning, Paul Materazzo and Planner Jacki Byerley.

Planning Session:

Mr. Materazzo updated the Board on the I-93 project including Governor Deval Patrick's support of the construction project and the recently awarded grant money. He also noted that there would be a tri-town meeting at the Wilmington library on Thursday September 27th.

160 Dascomb Road

The Board opened the Public Hearing on an application by Condyne, LLC for a Special Permit for a Major Non-Residential Project and a Special Permit for a Change in Parking Space Requirements (42,752 sf. Addition 38,357 sf. located in Andover and the remaining portion in Tewksbury) located at 160 Dascomb Road. Bernie Paquin of Dana Perkins, Inc, representing the Applicant, gave an overview the site including the current square footage of the building (87,200 s.f) the current parking spaces which is 358 spaces and 4 loading spaces. Mr. Paquin also reviewed the proposed project including the 136,625 square feet addition and the parking space requirements for 396 parking spaces with 11 loading spaces. And noted that there is not a need for 396 parking spaces at this time, only 283 with a reserve of 113 spaces. The Board questioned why the parking spaces were not needed. Mr. Paquin noted that the company would have multiple shift operations, which alleviates the need for parking spaces. The Board questioned the reserve parking are, the traffic flow and volume. Giles Ham of Vanasse & Associates, Inc. gave an overview of the traffic flow on site and noted there would be an increase of 74 vehicles round trip per day. They also reviewed the improvements to Smith Road that includes the restriping of the roadway to delineate the traffic flow and the installation of a stop sign at Smith Way. The Board questioned the queue time entering the site, and if an application for a PWED grant was applied for from a previous submission with California Paints. Ms., Byerley reviewed her memo to the Board dated September 21, 2007. Ms Byerley reviewed comments from the IDR conducted on September 18, 2007 including access to the rear parking spaces, sidewalks from the parking area to the building, the installation of a recycling dumpster, the Notice of Intent to be filed with the Conservation Commission and the sewer flows and alarms. The applicant will need to meet with the Fire Department to determine the placement of the hydrants and other information as suggested by DPW, Ms. Byerley noted that ESS would conduct a peer review of the drainage. Mr. Chiozzi questioned if a peer review for the traffic is warranted. Ms. Byerley noted that Safety Officer Cronin was not present at the IDR but she would confirm with him regarding the traffic study submitted. Ms. Byerley noted that the outstanding issues are: 1. Board of Appeals; 2. Conservation Commission; and 3. Peer review for Safety/Traffic and drainage. On a Motion by Ms. Anderson seconded by Ms. Goldberg the Board voted to continue the public hearings for 160 Dascomb Road until October 23 at 7:30 pm **Vote** Unanimous (5-0)

Swan Crossing III

The Board opened the public hearings on applications by CA Investment Trust for a Swan Crossing III Special Permit for New Multi-Family Dwelling Construction – Attached Cluster (21 residential units) and a Special Permit for Earth Movement that were continued from September 11, 2007 that would allow for the construction of 21 residential condominium units entitled Swan Crossing III located at 55 & 50 Canterbury Street.

The Board also opened the public hearings of an application by CA Investment Trust for a Modification of a Special Permit for New Multi-Family Dwelling Attached Cluster and a Modification of a Special Permit for Earth Movement (SP06-04 and SP06-05) that were continued from September 11, 2007. Mr. Materazzo reviewed his memo to the Board dated September 20, 2007 and noted that the applicant submitted revised plan to include a gatehouse at the entrance of the development. Doug Lees of Land Engineering & Environmental Services, Inc. representing the applicant gave an overview of the revised plans including the removal of two access points off the access/egress roadway, the installation of a gatehouse, and noted that both sides of the gatehouse would have a turn around. Mr. Lees also noted that signs would be posted “Not a Through Way” and “No Access at the entrance. On a Motion to Ms. Anderson, seconded by Ms. Goldberg the Board voted unanimously to close the public hearing for both Swan Crossing III and Swan Crossing Development. **Vote** Unanimous (5-0)

Aisling Estates

The Board opened the public hearings on an application by Rayvon Realty Trust for a proposed 4-lot definitive subdivision and a special permit for earth movement entitled Aisling Estates located off Sunset Rock Road that were continued from September 11, 2007. The Board reviewed the site visit conducted August 28, 2007. Dan Koravos of DK Engineering representing the applicant gave an overview of the revised earth movement calculations regarding the cubic yards being exported from the site. Mr. Koravos noted that upon finding the error, they contacted the peer consultant, Janet Bernardo from ESS Group and noted that instead of 980 truckloads being exported from the site, it is now 230 truckloads. Ms. Byerley reviewed her memo to the Board dated September 21, 2007 including the revisions to the plans. The peer consultant, Janet Bernardo of ESS Group reviewed her report to the Board dated September 18, 2007. She also noted that the homeowners’ association must be faithful with the cleaning of the infiltration basin. The Board questioned what effect this would have on abutting properties. Dan Koravos reviewed the drainage for the site including the flow of the groundwater, the runoff, and the infiltration basin and noted that the homeowners association will be responsible for the yearly inspections and any repairs required. Ms. Byerley confirmed that there is no need for an easement from the abutters due to the reduced volume of flow; the water is staying on the parcel and that she is waiting for DPW responses. Bruce Jacobs, representing Lynn Langlois, Calvin Perry, John Cronin, Robert Gable, Jim Greer, and Denise Johnson, agreed that the design was improved, but the test pits and elevation of the water table are still

Aisling Estates (cont.)

incorrect. Several abutters all expressed concerns regarding the runoff across Sunset Rock Road since construction started on the ANR lots. They also noted they all have water in their basements. Attorney Andrew Caffery representing an abutter expressed concerns regarding the water and the change in direction of runoff across Sunset Rock Road. John Cronin an abutter asked to review the homeowners' association once it's written. On a Motion by Ms. Anderson seconded by Mr. McDonnell the Board voted to continue the public hearings for Aisling Estates until October 9, 2007 at 8:00 pm.

Vote Unanimous (5-0)

Monette Circle:

The Board took up the deliberations on an application submitted by 7-10 Paulornette Realty Trust, for a proposed 4-lot definitive subdivision plan and a Special Permit for Earth Movement entitled Monette Circle, located at 7-10 Paulornette Circle. The Board reviewed Ms. Byerley's memo dated September 6, 2007 including draft conditions for Monette Circle.

On a Motion by Ms. Anderson seconded by Mr. Chiozzi, the Board voted to approve the 4-lot Definitive Subdivision Plan and the Special Permit for Earth Movement subject to conditions outlined in Ms. Byerley's memo to the Board dated September 6, 2007 and to accept the amendments by Ms. Anderson and further amended by the Board and subsequently renumbered at the meeting with the following changes: **Vote** (4-1) Mr. Salafia, Ms. Anderson, Mr. Chiozzi and Ms. Goldberg voting yes, and Mr. McDonnell voting no.

Specific Condition No. 37 shall read: The Applicant shall file a warrant article with the Town Clerk and seek approval at the spring 2008 Town Meeting for the approval of the discontinuance of those portions of the Paulornette Circle cul-de-sac shown as part of 8 Paulornette Circle and Lot 4 on the proposed subdivision plan and conveyance of those discontinued portions of Paulornette Circle by the Town to the owners of 8 Paulornette Circle and Lot 4.

Specific Condition No. 38 shall read: No work of any kind shall commence until condition #37 has been satisfied.

New Specific Condition No. 39 shall read: The "alternate site construction plan" on sheet 5 of 6 is provided for information only. The roadway layout is approved as depicted on sheet 3 of 6.

Specific Conditions No. 39 and 40 shall be renumbered to Specific Conditions No. 40 and 41 respectively.

On a Motion by Ms. Anderson, seconded by Mr. Chiozzi, the Board voted to grant the Waivers requested under Article XIII, Sec. VIII, 6.1. **Vote** (4-0-1) Mr. Salafia, Ms. Anderson, Mr. Chiozzi and Ms. Goldberg voting yes, and Mr. McDonnell abstained from voting.

Stormwater Management By-Law:

The Board took up the discussion on the stormwater management by-law. Ms. Anderson reviewed the revisions to Stormwater By-Law from the September 11, 2007 IDR Comments. Ms. Anderson suggested dovetailing the stormwater management with the building permit process for minor projects requiring building permits. The Board discussed the revisions and discussed whether the Inspector of Buildings, Kaija Gilmore to make a policy rather than the Planning Board making a policy for her to follow. Town Counsel, Tom Urbelis, suggested that both major and minor projects to have a similar process for stormwater management.

Adjournment:

The Board voted to adjourn the meeting at 11:28 pm.